

1-1 By: Ellis S.B. No. 1984
1-2 (In the Senate - Filed March 30, 2007; April 3, 2007, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 16, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;
1-6 April 16, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1984 By: Nichols

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the creation of the Spectrum Management District;
1-11 providing authority to levy an assessment, impose a tax, and issue
1-12 bonds.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. SPECTRUM MANAGEMENT DISTRICT. Subtitle C, Title
1-15 4, Special District Local Laws Code, is amended by adding Chapter
1-16 3840 to read as follows:

1-17 CHAPTER 3840. SPECTRUM MANAGEMENT DISTRICT

1-18 SUBCHAPTER A. GENERAL PROVISIONS

1-19 Sec. 3840.001. DEFINITIONS. In this chapter:

1-20 (1) "Board" means the board of directors of the
1-21 district.

1-22 (2) "District" means the Spectrum Management
1-23 District.

1-24 Sec. 3840.002. SPECTRUM MANAGEMENT DISTRICT. The Spectrum
1-25 Management District is a special district created under Section 59,
1-26 Article XVI, Texas Constitution.

1-27 Sec. 3840.003. PURPOSE; DECLARATION OF INTENT. (a) The
1-28 creation of the district is essential to accomplish the purposes of
1-29 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-30 Texas Constitution, and other public purposes stated in this
1-31 chapter. By creating the district and in authorizing the City of
1-32 Pearland, Harris County, and other political subdivisions to
1-33 contract with the district, the legislature has established a
1-34 program to accomplish the public purposes set out in Section 52-a,
1-35 Article III, Texas Constitution.

1-36 (b) The creation of the district is necessary to promote,
1-37 develop, encourage, and maintain employment, commerce,
1-38 transportation, housing, tourism, recreation, the arts,
1-39 entertainment, economic development, safety, and the public
1-40 welfare in the district.

1-41 (c) This chapter and the creation of the district may not be
1-42 interpreted to relieve Harris County and the City of Pearland from
1-43 providing the level of services provided as of the effective date of
1-44 the Act enacting this chapter, to the area in the district. The
1-45 district is created to supplement and not to supplant the county or
1-46 city services provided in the area in the district.

1-47 Sec. 3840.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-48 (a) The district is created to serve a public use and benefit.

1-49 (b) All land and other property included in the district
1-50 will benefit from the improvements and services to be provided by
1-51 the district under powers conferred by Sections 52 and 52-a,
1-52 Article III, and Section 59, Article XVI, Texas Constitution, and
1-53 other powers granted under this chapter.

1-54 (c) The creation of the district is in the public interest
1-55 and is essential to:

1-56 (1) further the public purposes of developing and
1-57 diversifying the economy of the state;

1-58 (2) eliminate unemployment and underemployment; and

1-59 (3) develop or expand transportation and commerce.

1-60 (d) The district will:

1-61 (1) promote the health, safety, and general welfare of
1-62 residents, employers, potential employees, employees, visitors,
1-63 and consumers in the district, and of the public;

2-1 (2) provide needed funding for the district to
2-2 preserve, maintain, and enhance the economic health and vitality of
2-3 the district territory as a community and business center;

2-4 (3) promote the health, safety, welfare, and enjoyment
2-5 of the public by providing pedestrian ways and by landscaping and
2-6 developing certain areas in the district, which are necessary for
2-7 the restoration, preservation, and enhancement of scenic beauty;

2-8 (4) provide for water, wastewater, and drainage needs
2-9 of the district; and

2-10 (5) provide for recreational facilities, sports
2-11 arenas, and other athletic facilities.

2-12 (e) Pedestrian ways along or across a street, whether at
2-13 grade or above or below the surface, and street lighting, street
2-14 landscaping, parking, and street art objects are parts of and
2-15 necessary components of a street and are considered to be a street
2-16 or road improvement.

2-17 (f) The district will not act as the agent or
2-18 instrumentality of any private interest even though the district
2-19 will benefit many private interests as well as the public.

2-20 Sec. 3840.005. DISTRICT TERRITORY. (a) The district is
2-21 composed of the territory described by Section 2 of the Act enacting
2-22 this chapter, as that territory may have been modified under:

2-23 (1) Subchapter J, Chapter 49, Water Code; or

2-24 (2) other law.

2-25 (b) The boundaries and field notes of the district contained
2-26 in Section 2 of the Act enacting this chapter form a closure. A
2-27 mistake in the field notes or in copying the field notes in the
2-28 legislative process does not in any way affect the district's:

2-29 (1) organization, existence, or validity;

2-30 (2) right to issue any type of bond for a purpose for
2-31 which the district is created or to pay the principal of and
2-32 interest on the bond;

2-33 (3) right to impose or collect an assessment or tax; or

2-34 (4) legality or operation.

2-35 Sec. 3840.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
2-36 All or any part of the area of the district is eligible to be
2-37 included in:

2-38 (1) a tax increment reinvestment zone created by a
2-39 municipality under Chapter 311, Tax Code;

2-40 (2) a tax abatement reinvestment zone created by a
2-41 municipality under Chapter 312, Tax Code; or

2-42 (3) an enterprise zone created under Chapter 2303,
2-43 Government Code.

2-44 Sec. 3840.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
2-45 DISTRICTS LAW. (a) Except as otherwise provided by this chapter,
2-46 Chapter 375, Local Government Code, applies to the district.

2-47 (b) Subchapter B, Chapter 375, and Sections 375.064(f),
2-48 375.069, 375.070, 375.071, 375.113, and 375.114, Local Government
2-49 Code, do not apply to the district.

2-50 Sec. 3840.008. LIBERAL CONSTRUCTION OF CHAPTER. This
2-51 chapter shall be liberally construed in conformity with the
2-52 findings and purposes stated in this chapter.

2-53 [Sections 3840.009-3840.050 reserved for expansion]

2-54 SUBCHAPTER B. BOARD OF DIRECTORS

2-55 Sec. 3840.051. COMPOSITION; TERMS. (a) The district is
2-56 governed by a board of seven voting directors who serve staggered
2-57 terms of four years, with three or four directors' terms expiring
2-58 June 1 of each odd-numbered year.

2-59 (b) The board by resolution may change the number of voting
2-60 directors on the board, but only if the board determines that the
2-61 change is in the best interest of the district. The board may not
2-62 consist of fewer than five or more than 15 voting directors.

2-63 Sec. 3840.052. APPOINTMENT OF DIRECTORS. (a) The mayor
2-64 and the governing body of the City of Pearland shall appoint voting
2-65 directors from persons recommended by the board.

2-66 (b) A person is appointed if a majority of the members of the
2-67 governing body, including the mayor, vote to appoint that person.

2-68 Sec. 3840.053. DISQUALIFICATION. Section 49.052, Water
2-69 Code, does not apply to the district.

3-1 Sec. 3840.054. NONVOTING DIRECTORS. The board may appoint
3-2 nonvoting directors to serve at the pleasure of the voting
3-3 directors.

3-4 Sec. 3840.055. QUORUM. For purposes of determining the
3-5 requirements for a quorum, the following are not counted:

3-6 (1) a board position vacant for any reason, including
3-7 death, resignation, or disqualification;

3-8 (2) a director who is abstaining from participation in
3-9 a vote because of a conflict of interest; or

3-10 (3) a nonvoting director.

3-11 Sec. 3840.056. INITIAL VOTING DIRECTORS. (a) The initial
3-12 board consists of the following voting directors:

Pos. No.	Name of Director
1	Fred Welch
2	Charlie Whynot
3	Cullum Heard
4	Mark Evans
5	Ronnie Hecht
6	Darrell Jordan
7	Shareen Larmond

3-21 (b) Of the initial voting directors, the terms of directors
3-22 appointed for positions 1 through 4 expire June 1, 2009, and the
3-23 terms of directors appointed for positions 5 through 7 expire June
3-24 1, 2011.

3-25 (c) Section 3840.052 does not apply to this section.

3-26 (d) This section expires September 1, 2012.

3-27 [Sections 3840.057-3840.100 reserved for expansion]

3-28 SUBCHAPTER C. POWERS AND DUTIES

3-29 Sec. 3840.101. ADDITIONAL POWERS OF DISTRICT. The district
3-30 may exercise the powers given to:

3-31 (1) an economic development corporation under Section
3-32 4B, Development Corporation Act of 1979 (Article 5190.6, Vernon's
3-33 Texas Civil Statutes), including the power to own, operate,
3-34 acquire, construct, lease, improve, or maintain a project described
3-35 by that section;

3-36 (2) a housing finance corporation under Chapter 394,
3-37 Local Government Code, to provide housing or residential
3-38 development projects in the district; and

3-39 (3) a sports facility district under Chapter 325,
3-40 Local Government Code.

3-41 Sec. 3840.102. NONPROFIT CORPORATION. (a) The board by
3-42 resolution may authorize the creation of a nonprofit corporation to
3-43 assist and act for the district in implementing a project or
3-44 providing a service authorized by this chapter.

3-45 (b) The nonprofit corporation:

3-46 (1) has each power of and is considered for purposes of
3-47 this chapter to be a local government corporation created under
3-48 Chapter 431, Transportation Code; and

3-49 (2) may implement any project and provide any service
3-50 authorized by this chapter.

3-51 (c) The board shall appoint the board of directors of the
3-52 nonprofit corporation.

3-53 (d) The board of directors of the nonprofit corporation
3-54 shall serve in the same manner as the board of directors of a local
3-55 government corporation created under Chapter 431, Transportation
3-56 Code, except that a director of the corporation is not required to
3-57 reside in the district.

3-58 Sec. 3840.103. AGREEMENTS; GRANTS. (a) The district may
3-59 make an agreement with or accept a gift, grant, or loan from any
3-60 person.

3-61 (b) The implementation of a project is a governmental
3-62 function or service for the purposes of Chapter 791, Government
3-63 Code.

3-64 Sec. 3840.104. AUTHORITY TO CONTRACT FOR LAW ENFORCEMENT.
3-65 To protect the public interest, the district may contract with a
3-66 qualified party, including Harris County or the City of Pearland,
3-67 to provide law enforcement services in the district for a fee.

3-68 Sec. 3840.105. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
3-69 district may join and pay dues to a charitable or nonprofit

4-1 organization that performs a service or provides an activity
4-2 consistent with the furtherance of a district purpose.

4-3 Sec. 3840.106. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
4-4 district may establish and provide for the administration of one or
4-5 more programs to promote state or local economic development and to
4-6 stimulate business and commercial activity in the district,
4-7 including programs to:

4-8 (1) make loans and grants of public money; and

4-9 (2) provide district personnel and services.

4-10 (b) For purposes of this section, the district has all of
4-11 the powers of a municipality under Chapter 380, Local Government
4-12 Code.

4-13 Sec. 3840.107. PROPERTY. The district may construct,
4-14 purchase, sell, or lease property, including facilities, to
4-15 accomplish a district purpose.

4-16 Sec. 3840.108. NO EMINENT DOMAIN. The district may not
4-17 exercise the power of eminent domain.

4-18 [Sections 3840.109-3840.150 reserved for expansion]

4-19 SUBCHAPTER D. FINANCIAL PROVISIONS

4-20 Sec. 3840.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
4-21 board by resolution shall establish the number of directors'
4-22 signatures and the procedure required for a disbursement or
4-23 transfer of the district's money.

4-24 Sec. 3840.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
4-25 The district may acquire, construct, finance, operate, or maintain
4-26 any improvement or service authorized under this chapter or Chapter
4-27 375, Local Government Code, using any money available to the
4-28 district.

4-29 Sec. 3840.153. PETITION REQUIRED FOR FINANCING SERVICES AND
4-30 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
4-31 service or improvement project with assessments under this chapter
4-32 unless a written petition requesting that service or improvement
4-33 has been filed with the board.

4-34 (b) A petition filed under Subsection (a) must be signed by:

4-35 (1) the owners of a majority of the assessed value of
4-36 real property in the district subject to the proposed assessment
4-37 according to the most recent certified tax appraisal roll for
4-38 Harris County; or

4-39 (2) at least 50 owners of real property in the district
4-40 if more than 50 persons own real property in the district as
4-41 determined by the most recent certified tax appraisal roll for
4-42 Harris County.

4-43 Sec. 3840.154. METHOD OF NOTICE FOR HEARING. The district
4-44 may mail the notice required by Section 375.115(c), Local
4-45 Government Code, by certified or first class United States mail.
4-46 The board shall determine the method of notice.

4-47 Sec. 3840.155. ASSESSMENTS; LIENS FOR ASSESSMENTS.
4-48 (a) The board by resolution may impose and collect an assessment
4-49 for any purpose authorized by this chapter in all or any part of the
4-50 district.

4-51 (b) An assessment, a reassessment, or an assessment
4-52 resulting from an addition to or correction of the assessment roll
4-53 by the district, penalties and interest on an assessment or
4-54 reassessment, an expense of collection, and reasonable attorney's
4-55 fees incurred by the district:

4-56 (1) are a first and prior lien against the property
4-57 assessed;

4-58 (2) are superior to any other lien or claim other than
4-59 a lien or claim for county, school district, or municipal ad valorem
4-60 taxes; and

4-61 (3) are the personal liability of and a charge against
4-62 the owners of the property even if the owners are not named in the
4-63 assessment proceedings.

4-64 (c) The lien is effective from the date of the board's
4-65 resolution imposing the assessment until the date the assessment is
4-66 paid. The board may enforce the lien in the same manner that the
4-67 board may enforce an ad valorem tax lien against real property.

4-68 (d) The board may make a correction to or deletion from the
4-69 assessment roll that does not increase the amount of assessment of

5-1 any parcel of land without providing notice and holding a hearing in
5-2 the manner required for additional assessments.

5-3 Sec. 3840.156. AD VALOREM TAX. (a) If authorized at an
5-4 election held in accordance with Section 3840.160, the district may
5-5 impose an annual ad valorem tax on taxable property in the district
5-6 for any district purpose, including to:

5-7 (1) maintain and operate the district;

5-8 (2) construct or acquire improvements; or

5-9 (3) provide a service.

5-10 (b) The board shall determine the tax rate.

5-11 Sec. 3840.157. UTILITY PROPERTY EXEMPT FROM IMPACT FEES OR
5-12 ASSESSMENTS. The district may not impose an impact fee or
5-13 assessment on the property, including the equipment,
5-14 rights-of-way, facilities, or improvements, of:

5-15 (1) an electric utility or a power generation company
5-16 as defined by Section 31.002, Utilities Code;

5-17 (2) a gas utility as defined by Section 101.003 or
5-18 121.001, Utilities Code;

5-19 (3) a telecommunications provider as defined by
5-20 Section 51.002, Utilities Code; or

5-21 (4) a person who provides to the public cable
5-22 television or advanced telecommunications services.

5-23 Sec. 3840.158. BONDS AND OTHER OBLIGATIONS. (a) The
5-24 district may issue by competitive bid or negotiated sale bonds or
5-25 other obligations payable wholly or partly from taxes, assessments,
5-26 impact fees, revenue, grants, or other money of the district, or any
5-27 combination of those sources of money, to pay for any authorized
5-28 purpose of the district.

5-29 (b) The district may issue a bond or other obligation in the
5-30 form of a bond, note, certificate of participation or other
5-31 instrument evidencing a proportionate interest in payments to be
5-32 made by the district, or other type of obligation.

5-33 (c) The term of a bond issued under this chapter may not
5-34 exceed 40 years from the date of issuance.

5-35 (d) In addition to any other terms authorized by the board
5-36 by bond order or resolution, the proceeds of the district's bonds
5-37 may be used for a reserve fund, credit enhancement, or capitalized
5-38 interest for the bonds.

5-39 (e) The limitation on the outstanding principal amount of
5-40 bonds, notes, and other obligations provided by Section 49.4645,
5-41 Water Code, does not apply to the district.

5-42 Sec. 3840.159. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
5-43 the time bonds or other obligations payable wholly or partly from ad
5-44 valorem taxes are issued:

5-45 (1) the board shall impose a continuing direct annual
5-46 ad valorem tax, without limit as to rate or amount, for each year
5-47 that all or part of the bonds are outstanding; and

5-48 (2) the district annually shall impose a continuing
5-49 direct ad valorem tax on all taxable property in the district in an
5-50 amount sufficient to:

5-51 (A) pay the interest on the bonds or other
5-52 obligations as the interest becomes due;

5-53 (B) create a sinking fund for the payment of the
5-54 principal of the bonds or other obligations when due or the
5-55 redemption price at any earlier required redemption date; and

5-56 (C) pay the expenses of imposing the taxes.

5-57 Sec. 3840.160. TAX AND BOND ELECTIONS. (a) The district
5-58 shall hold an election in the manner provided by Subchapter L,
5-59 Chapter 375, Local Government Code, to obtain voter approval before
5-60 the district imposes an ad valorem tax or issues bonds payable from
5-61 ad valorem taxes.

5-62 (b) The board may include more than one issue in a single
5-63 proposition at an election.

5-64 (c) Section 375.243, Local Government Code, does not apply
5-65 to the district.

5-66 Sec. 3840.161. MUNICIPALITY NOT REQUIRED TO PAY DISTRICT
5-67 OBLIGATIONS. Except as provided by Section 375.263, Local
5-68 Government Code, a municipality is not required to pay a bond, note,
5-69 or other obligation of the district.

6-1 Sec. 3840.162. BIDDING REQUIREMENTS. Section 375.221,
6-2 Local Government Code, and Sections 49.273(d), (e), (f), and (g),
6-3 Water Code, do not apply to the district.

6-4 Sec. 3840.163. TAX AND ASSESSMENT ABATEMENTS. The district
6-5 may grant in the manner authorized by Chapter 312, Tax Code, an
6-6 abatement for a tax or assessment owed to the district.

6-7 [Sections 3840.164-3840.200 reserved for expansion]

6-8 SUBCHAPTER E. SALES AND USE TAX

6-9 Sec. 3840.201. MEANINGS OF WORDS AND PHRASES. Words and
6-10 phrases used in this subchapter that are defined by Chapters 151 and
6-11 321, Tax Code, have the meanings assigned by Chapters 151 and 321,
6-12 Tax Code.

6-13 Sec. 3840.202. APPLICABILITY OF CERTAIN TAX CODE
6-14 PROVISIONS. (a) Except as otherwise provided by this subchapter,
6-15 Subtitles A and B, Title 2, Tax Code, and Chapter 151, Tax Code,
6-16 apply to taxes imposed under this subchapter and to the
6-17 administration and enforcement of those taxes in the same manner
6-18 that those laws apply to state taxes.

6-19 (b) The provisions of Subchapters B, C, D, and F, Chapter
6-20 321, Tax Code, relating to municipal sales and use taxes apply to
6-21 the application, collection, change, and administration of a sales
6-22 and use tax imposed under this subchapter to the extent consistent
6-23 with this chapter, as if references in Chapter 321, Tax Code, to a
6-24 municipality referred to the district and references to a governing
6-25 body referred to the board.

6-26 (c) Sections 321.401-321.406 and 321.506-321.508, Tax Code,
6-27 do not apply to a tax imposed under this subchapter.

6-28 Sec. 3840.203. AUTHORIZATION; ELECTION. (a) The district
6-29 may adopt a sales and use tax to serve the purposes of the district
6-30 after an election in which a majority of the voters of the district
6-31 voting in the election authorize the adoption of the tax.

6-32 (b) The board by order may call an election to authorize a
6-33 sales and use tax. The election may be held with any other district
6-34 election.

6-35 (c) The district shall provide notice of the election and
6-36 shall hold the election in the manner prescribed by Section
6-37 3840.160.

6-38 (d) The ballots shall be printed to provide for voting for
6-39 or against the proposition: "Authorization of a district sales and
6-40 use tax in the Spectrum Management District at a rate not to exceed
6-41 _____ percent."

6-42 Sec. 3840.204. ABOLISHING SALES AND USE TAX. (a) Except
6-43 as provided by Subsection (b), the board, with the consent of the
6-44 governing body of the City of Pearland, may abolish the sales and
6-45 use tax without an election.

6-46 (b) The board may not abolish the sales and use tax if the
6-47 district has outstanding debt secured by the tax.

6-48 Sec. 3840.205. SALES AND USE TAX RATE. (a) On adoption of
6-49 the tax authorized by this subchapter, there is imposed a tax on the
6-50 receipts from the sale at retail of taxable items in the district,
6-51 and an excise tax on the use, storage, or other consumption in the
6-52 district of taxable items purchased, leased, or rented from a
6-53 retailer in the district during the period that the tax is in
6-54 effect.

6-55 (b) The board shall determine the rate of the tax, which may
6-56 be in one-eighth of one percent increments not to exceed the maximum
6-57 rate authorized by the district voters at the election. The board
6-58 may lower the tax rate to the extent it does not impair any
6-59 outstanding debt or obligations payable from the tax.

6-60 (c) The rate of the excise tax is the same as the rate of the
6-61 sales tax portion of the tax and is applied to the sales price of the
6-62 taxable item.

6-63 [Sections 3840.206-3840.250 reserved for expansion]

6-64 SUBCHAPTER F. DISSOLUTION

6-65 Sec. 3840.251. DISSOLUTION OF DISTRICT WITH OUTSTANDING
6-66 DEBT. (a) The board may dissolve the district regardless of
6-67 whether the district has debt. Section 375.264, Local Government
6-68 Code, does not apply to the district.

6-69 (b) If the district has debt when it is dissolved, the

7-1 district shall remain in existence solely for the purpose of
7-2 discharging its debts. The dissolution is effective when all debts
7-3 have been discharged.

7-4 SECTION 2. BOUNDARIES. As of the effective date of this
7-5 Act, the Spectrum Management District includes all territory
7-6 contained in the following described area:

7-7 Beginning at the intersection of the East boundary of the
7-8 right of way of State Highway 288 and the Harris County line at
7-9 Clear Creek;

7-10 Thence, West along the Harris County line following Clear
7-11 Creek to the East boundary of the right of way of Almeda School Road
7-12 (County Road 48);

7-13 Thence, North along the East boundary of the right of way of
7-14 Almeda School Road (County Road 48) to the South boundary of the
7-15 right of way of Beltway 8 (Sam Houston Parkway);

7-16 Thence, East along the South boundary of the right of way of
7-17 Beltway 8 (Sam Houston Parkway) to the East boundary of the right of
7-18 way of State Highway 288;

7-19 Thence, South along the East boundary of the right of way of
7-20 State Highway 288 to the point of beginning.

7-21 SAVE AND EXCEPT and land contained within the boundaries of
7-22 the Pearland Municipal Management District No. 1.

7-23 SECTION 3. LEGISLATIVE FINDINGS. The legislature finds
7-24 that:

7-25 (1) proper and legal notice of the intention to
7-26 introduce this Act, setting forth the general substance of this
7-27 Act, has been published as provided by law, and the notice and a
7-28 copy of this Act have been furnished to all persons, agencies,
7-29 officials, or entities to which they are required to be furnished by
7-30 the constitution and laws of this state, including the governor,
7-31 who has submitted the notice and Act to the Texas Commission on
7-32 Environmental Quality;

7-33 (2) the Texas Commission on Environmental Quality has
7-34 filed its recommendations relating to this Act with the governor,
7-35 lieutenant governor, and speaker of the house of representatives
7-36 within the required time;

7-37 (3) the general law relating to consent by political
7-38 subdivisions to the creation of districts with conservation,
7-39 reclamation, and road powers and the inclusion of land in those
7-40 districts has been complied with; and

7-41 (4) all requirements of the constitution and laws of
7-42 this state and the rules and procedures of the legislature with
7-43 respect to the notice, introduction, and passage of this Act have
7-44 been fulfilled and accomplished.

7-45 SECTION 4. EFFECTIVE DATE. This Act takes effect
7-46 immediately if it receives a vote of two-thirds of all the members
7-47 elected to each house, as provided by Section 39, Article III, Texas
7-48 Constitution. If this Act does not receive the vote necessary for
7-49 immediate effect, this Act takes effect September 1, 2007.

7-50 * * * * *